MAIN OCT 2 8 2002

ORDINANCE NO. 2002 - 066

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 95-31, AS CODIFIED IN SECTIONS 2-261 THROUGH 2-313 OF THE PALM BEACH COUNTY CODE, RELATING TO EQUAL EMPLOYMENT; PROVIDING FOR ADDITIONAL PROTECTED CLASSES; PROVIDING FOR DEFINITIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida enacted Ordinance 95-31 providing for equal opportunities in employment, and such Ordinance is codified in Sections 2-261 through 2-313 of the Palm Beach County Code; and

WHEREAS, the Board of County Commissioners has determined that there should be consistency in the protected classes included in the County's ordinance providing for equal opportunities in housing and public accommodations and the County's ordinance providing for equal opportunities in employment.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1 - PROTECTED CLASSES: Each and every reference to the protected classes of "race, color, sex, national origin, religion, age or disability" in Ordinance 95-31, as codified in Sections 2-261 through 2-313, shall be amended to read "race, color, sex, national origin, religion, age, disability, familial status, marital status and sexual orientation."

SECTION 2 - DEFINITIONS: The following definitions shall be added to Section 2-263:

Familial status means an individual who has legal custody of one or more child who has not attained the age of 18. The protection afforded against discrimination on the basis of familial status shall apply to any individual who is expecting the birth of a child or is in the process of securing legal custody of a child under the age of 18.

Marital status means the status of being married, single, divorced or widowed.

Sexual orientation means male or female homosexuality, heterosexuality and bisexuality, by preference or practice.

SECTION 3 - REPEAL OF LAWS IN CONFLICT: All local laws and ordinances applying to the unincorporated area of Palm Beach County, Florida in conflict with any provisions of this ordinance are hereby repealed.

SECTION 4 - SEVERABILITY: If any section, paragraph, sentence, clause, phrase, or word of this ordinance is for any reason held by a court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this ordinance.

SECTION 5 - INCLUSION IN THE CODE OF LAWS AND ORDINANCES: The provisions of this ordinance shall become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 6 - EFFECTIVE DATE: The provisions of this ordinance shall become effective upon filing with the Department of State.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the 10 day of September, 2002.

DOROTHY H. WILKEN, CLERK

By: _____
Deputy Clerk

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

By: _____
Warren H. Newell, Chairman

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: _____
County Attorney

EFFECTIVE DATE: Filed with the Department of State on the 13 day of Sept., 2002.

G:\WPDATA\ENG\TKF\OEO-FH\equalemployprotectedclassesamend.wpd (08-21-02)

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the Board of County Commissioners certify this to be a true and correct copy of the original filed in my office on September 11, 2002.
DATED at West Palm Beach, FL on 10/11/02.
DOROTHY H. WILKEN, Clerk
By: _____ D.C.